



Managing Development DPD Public Examination

Position Statement prepared by GVA on behalf of Criterion Capital in respect of Policy DM16 Office Locations

04.09.2012

Background

- 1.1 The following Position Statement sets out why the Managing Development DPD (the 'DPD') is considered to be unsound and provides a recommendation to the Inspector outlining how the DPD could be amended to be made sound.
- 1.2 It should be read in conjunction with the representations submitted on behalf of Criterion Capital on 15 July 2011 and on behalf of Private Clients on 09 March 2012.
- 1.3 Criterion Capital's interest relates to land within the East India Dock Estate which is located with the Core Strategy 'place' of Blackwall as identified within that document. The Core Strategy SP06(3a) also identifies Blackwall as a Local Office Location (LOL).

Issue 3 - Policy DM16 Office Locations

What particular part of the document is unsound?

- 1.4 Policy DM16 is considered to be unsound.

Which soundness tests does it fail?

- 1.5 It is considered to be unsound because it is not effective.

Why does it fail?

- 1.6 The extent of the area to be contained within the proposed Blackwall LOL boundary is outlined on the LDF Proposals Map. The LOL is bound by the A13 to the north, the A1261 to the south and the Blackwall Tunnel Approach to the west.
- 1.7 The Tower Hamlets Spatial Economy Study (Roger Tym & Partners (RTP), June 2011) forms part of the evidence base to support the designation of spatial policy areas including Preferred Office Locations (POLs) and LOLs.



1.8 The RTP Study states the following at Paragraphs 3.57 and 3.58:

“Whilst this site is clearly not a POL, we must point out that it does not fit in well with profile set out in the Core Strategy for LOLs either. It does not provide accommodation for secondary, local, small office space. Current occupiers are large and some of them are not traditional office occupiers (e.g. the data centre).

Despite this the LOL designation is the best available to protect the area for ongoing office related uses. However, in applying the policy the Council may need to be flexible, permitting larger floorplate offices (if market demands) which otherwise would be directed to the POL and not forcing the type of small scale units it may encourage in other LOLs.”

1.9 The RTP Study recognises the discrepancy that exists in designating Blackwall as an LOL. It acknowledges that does not neatly fit into the definition of an LOL and that flexibility should therefore be provided in the policy approach taken to it. We agree with these conclusions and acknowledge the recognition that a market driven approach should be taken to determining the future use of the site.

1.10 We argue that this market based approach should apply to the potential use of the area for a full basket of potential future uses, whether this is through its alternative use for large floorplate offices, residential, data centres or other appropriate uses.

1.11 We also argue that where it becomes clear through the undertaking of marketing analysis and the preparation of appropriate evidence, that demand for local office floorspace is unlikely to arise within the Blackwall LOL, then the requirement for a lengthy 2 year marketing exercise to be undertaken, as set out in Part 3 of Policy DM16, should not apply.

1.12 As currently drafted, Policy DM16 will not be effective in delivering the Core Strategy’s placemaking aspirations for the regeneration of Blackwall as it will delay the potential delivery of appropriate alternative uses for sites within the LOL through the need to unnecessarily protect existing office floorspace.



How could the document be made sound?

- 1.13 Policy DM13 could be made sound by introducing additional flexibility in relation to the potential future use of the Blackwall LOL. In this regard, we consider it appropriate that different criteria should apply to the Blackwall LOL for the reasons set out above i.e. it does not readily meet the description of an LOL insofar as it currently contains principally large floorplate office space and is unlikely to attract to future demand for local office type accommodation as sought by the Borough in areas designated as LOLs.
- 1.14 Flexibility should be therefore introduced in relation to the requirements Part 3 of Policy DM16 as they relate to the Blackwall LOL.

What is the precise change/wording sought?

- 1.15 Part 3 of Policy DM16 should be amended as follows:

“Where sites in Local Office Locations are vacant, development resulting in the loss of office floor space will **normally** only be considered where there is evidence, in a marketing exercise, that:

- a. over a period of two years, active marketing (at a reasonable value for that area) has been carried out;
- b. the site is unsuitable (in terms of size and condition) for ongoing employment use;
- c. other employment uses have been considered for the site; and
- d. the loss of office floorspace does not compromise the operation and viability of the wider Local Office Location.

In the case of the Blackwall LOL, however, it is recognised that a different characteristics and conditions exist to those that prevail in the Borough’s other LOLs., Where sites are therefore vacant, development resulting in the loss of office floor space may be considered acceptable without the requirement to undertake active marketing over a two year period, where it can be reasonably demonstrated that any proposal delivers the broader objectives of the development plan.